

Town Board Minutes

Meeting No. 20

Regular Meeting

August 2, 1999

MEETINGS TO DATE 20
NO. OF REGULARS 15
NO. OF SPECIALS 5

LANCASTER, NEW YORK
August 2, 1999

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of August, 1999 at 8:00 P.M. and there were

PRESENT: NEIL CONNELLY, COUNCIL MEMBER
WILLIAM MARYNIEWSKI, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: DONNA STEMPIAK, COUNCIL MEMBER

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
THOMAS PRZYBYLA, DEPUTY TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Buehler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- Expressed concern that a prominent local developer is a member of the Regional Comprehensive Plan Committee.

Dohn, Michael, 161 Broezel Avenue, spoke to the Town Board on the following matter:

- The procedure to obtain removal of a dying dangerous tree on his neighbor's property which poses a threat to his garage.

Mahon, Edward, 30 Lombardy, spoke to the Town Board on the following matter:

- The \$.25 cost of FOIL documents obtained in the Town Clerk's Office as compared to the \$.15 copy cost of documents in Public Libraries.

Seeger, David, Attorney, spoke to the Town Board on the following matter:

- As a representative of CARS, he requested that the Town Board open the matter of the Transit/William Rezone to a SEQR Scoping Session.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Asked questions relative to prefiled resolutions: number 3, 10 and 6.
- The \$.25 cost of FOIL document obtained in the Town Clerk's Office as compared to the \$.15 a copy cost at Public Libraries and \$.05 at "Mr. Copy".
- Expressed disappointment in the presentation of the Regional Comprehensive Plan at a recent information meeting.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Expressed concerns about the Regional Comprehensive Plan.
- Expressed deep concern about a local developer being a member of the Comprehensive Plan Committee.
- Expressed further concern about the disproportionate representation of the Town members on the committee in relation to the representation of the two Villages.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment of Chapter 50 Section 23(B) - lighting system design standards in a business district.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

Roy Schneggenburger

ADDRESS

87 Stony Road, Lancaster

ON MOTION BY COUNCIL MEMBER CONNELLY, AND SECONDED BY COUNCIL MEMBER MARYNIEWSKI AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law No. 4 of the year 1999, which Local Law repeals in its entirety Local Law No. 3 of the Year 1999 identified as Section 21-5 and Section 21-6 of Chapter 21 - Floodplains of the Code of the Town of Lancaster, and enacts in place thereof a new Local Law of the year 1999, identified as Section 21-5 and Section 21-6 of Chapter 21 - Floodplains of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

Roy Schneggenburger

ADDRESS

87 Stony Road, Lancaster

ON MOTION BY COUNCIL MEMBER CONNELLY, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:50 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board and
the Planning Board held on July 19, 1999, and the Regular Meeting of the Town Board held on
July 19, 1999, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MARYNIEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, RJF Development, J.V., 5653 Broadway, Lancaster, New York
on May 5, 1997 was issued Public Improvements Nos 462, 463 and 464 of the Town of
Lancaster for the purpose of constructing public improvements within Parkedge Subdivision,
and

WHEREAS, RJF Development has requested approval of the Town Board to
amend Public Improvement Nos 462, 463, and 464 in such a manner as to effectively authorize
construction of storm sewers, pavement and curbs and water lines within Parkedge Subdivision
in two phases, namely Phase I and Phase II, rather than in one phase as originally authorized by
these three permits.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the following amendments to Public Improvement Nos 462, 463, and 464 of the
Town of Lancaster to read as follows:

Parkedge Subdivision Phase I

P.I.P. No. 462 (Storm Sewers)	Construct approximately 2,627 L.F. of various size storm sewer, 11 manholes, 18 receivers, 2519 L.F. of 6" yard drains, 16 L.D. receivers and 41 yard inlets in Parkedge Subdivision Phase I (Lots 1, 2, 25-44, and 60-69).
P.I.P. No. 463 (Pavement & Curbs)	Construction of approximately 5,600 s.y. of Asphalt Concrete Pavement (8" Subbase, 4" Type 1 Base, 2" Type 3 Binder & 1" Type 7 OP) and approximately 3,750 L.F. of N.Y.S.D.O.T. Type B-B Concrete Curb in Parkedge Subdivision Phase I (Lots 1,2, 25-44 and 60-69).
P.I.P. No. 464 (Water Line)	Construct approximately 1,900 L.F. of 8" P.V.C. waterline, 4 hydrants and various appurtenances in Parkedge Subdivision Phase I (Lots 1,2, 25-44 and 60-69).

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby
authorized to refund to RJF Development the following excess inspection fees charged on the
original permits for Phase II work that has not been initiated and therefore not inspected:

P.I.P. No. 462 - Storm Sewers	\$1,625.00
P.I.P. No. 463 - Pavement & Curbs	2125.00
P.I.P. No. 464 - Water Line	205.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rpip (P19)

THE FOLLOWING RESOLUTION WAS OFFERED
COUNCIL MEMBER MARYNIEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, AMF Bowling Centers, Inc., has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Chief of Police for review and recommendation, and

WHEREAS, the Building Inspector and Chief of Police have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to AMF Bowling Centers Inc. to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year** period of **July 20, 1999 to July 20, 2000** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$600.00 for eight (8) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999
File: RLICENSE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York §10 (1) (ii) (a) (1) and §10 (1) (2) (d) (3) and Chapter 26 of the Code of the Town of Lancaster provide the authority and enabling legislation for the Town Board to act by local law to cause the abolishment of the office of Receiver of Taxes and Assessments and consolidate that office into the office of the Town Clerk, and

WHEREAS, a proposed Local Law of the Year 1999, entitled "**Abolition of Office of Receiver of Taxes and Assessments of the Town of Lancaster, New York**" and designated as **Chapter 2** of the Code of the Town of Lancaster, was introduced to the Town Board of said Town by Council Member Stempniak on July 6, 1999, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on July 19, 1999;

NOW, THEREFORE, BE IT

ENACTED, by the Town Board of the Town of Lancaster, a Local Law of the Year 1999, entitled: "**Abolition of Office of Receiver of Taxes and Assessments of the Town of Lancaster, New York**", and designated as **Chapter 2** of the Code of the Town of Lancaster, which reads as follows:

**ABOLITION OF OFFICE OF RECEIVER
OF TAXES AND ASSESSMENTS**

CHAPTER 2

**A LOCAL LAW
Of the Year
1999**

A LOCAL LAW TO ABOLISH THE OFFICE OF RECEIVER OF TAXES AND ASSESSMENTS OF THE TOWN OF LANCASTER AND TO TRANSFER ALL POWERS AND DUTIES OF THAT OFFICE TO THE OFFICE OF THE TOWN CLERK OF THE TOWN OF LANCASTER, AND SHALL BE ENTITLED "ABOLITION OF OFFICE OF RECEIVER OF TAXES AND ASSESSMENTS OF THE TOWN OF LANCASTER - A LOCAL LAW OF THE YEAR 1999" AND DESIGNATED AS CHAPTER 2 OF THE CODE OF THE TOWN OF LANCASTER, NEW YORK.

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

**CHAPTER 2
ABOLITION OF OFFICE OF RECEIVER OF
TAXES AND ASSESSMENTS**

- §2.1. Purpose**
- §2.2. Abolition**
- §2.3. Mandatory Referendum**
- §2.4. Statutory Authority**
- §2.5. Effective Date**

§2.1. Purpose.

The purpose of this Local Law is to abolish the Office of Receiver of Taxes and Assessments in the Town of Lancaster, New York and to transfer all powers and duties of that Office to the Office of the Town Clerk of the Town of Lancaster.

§2.2. Abolition.

The office of Receiver of Taxes and Assessments in the Town of Lancaster is hereby abolished effective January 1, 2000. The powers and duties of that office shall be transferred to the Office of the Town Clerk of the Town of Lancaster, New York.

§2.3. Mandatory Referendum.

This Local Law is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Lancaster at the General Election to be held on November 2, 1999. The proposition in the following form shall be included on the ballot at such General Election, and the abolition of the Office of Receiver of Taxes and Assessments and the transfer of the powers and duties of that office to the Town Clerk shall not take effect unless such proposition is approved by a majority of the qualified voters voting thereon:

"Shall the Office of Receiver of Taxes and Assessments be abolished and all powers and duties of that office transferred to the Office of the Town Clerk of the Town of Lancaster, New York, effective January 1, 2000 ."

§2.4. Statutory Authority.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§2.5. Effective Date.

This Local Law shall become effective immediately upon being filed in the Office of the Secretary of State after approval by qualified voters.

and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of this Local Law of the Year 1999 on the Town Bulletin Board;
2. Within ten (10) days publish a certified copy of the Local Law abstract thereof describing this Local Law in general terms in the Lancaster Bee, declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on this Local Law of the Year 1999 with all proofs of publication and posting required for adoption; and
4. File certified copies upon approval by qualified voters with:
 - a) Town Clerk's Office
 - b) One (1) copy with the Office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rl14.899

**LEGAL NOTICE
NOTICE OF ADOPTION**

**A LOCAL LAW
OF THE YEAR 1999**

**ABOLITION OF OFFICE OF RECEIVER OF
TAXES AND ASSESSMENTS OF THE
TOWN OF LANCASTER, NEW YORK**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York on August 2, 1999, a Local of the Year 1999, entitled: **"Abolition of Office of Receiver of Taxes and Assessments of the Town of Lancaster, New York"** and designated as Chapter 2 of the Code of the Town of Lancaster, briefly described as follows:

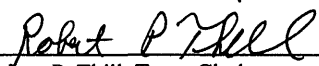
"A Local Law to abolish the office of Receiver of Taxes and Assessments of the Town of Lancaster and to transfer all powers and duties of that office to the Office of the Town Clerk of the Town of Lancaster, and is designated as Chapter 2 of the Code of the Town of Lancaster."

August 2, 1999

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY, that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of a Local Law of the Year 1999, with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, the County of Erie has created the Buffalo Creek Stream Bank Stabilization Partnership Program to address stream bank erosion problems in the Buffalo Creek Watershed, and the Erie County Soil and Water Conservation District will act as a project partner with the various municipalities in Erie County, and

WHEREAS, municipalities who wish to participate in Round VII have been requested to provide either Ten Thousand Dollars (\$10,000.) cash or an "in-kind" pledge so that the partnership program can use a local match to apply for federal and state cost-sharing funds, and

WHEREAS, the Town, in committing to the partnership, will not have to expend funds or in-kind services unless and until a specific project is identified and undertaken in the Town of Lancaster by the Partnership, and

WHEREAS, the Town Board has given due review and consideration to joining in the Partnership Program and deems it in the public interest to join said program;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to sign a Letter of Commitment to the County -Municipal Regionalism Committee of the Erie County Legislature indicating that the Town of Lancaster will commit the sum of ten thousand dollars (\$10,000.) to the Partnership for Round VII, such funds to be provided by the Town only in the event that a project is identified and undertaken within the Town of Lancaster for stream bank erosion control in the Buffalo Creek watershed with the understanding that other funds for the project will be provided through grant funds received by the Partnership.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999
File: rbflocrk.899

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, proposed Local Law No. 4 of the Year 1999, repeals Sections 21-5 and 21-6, of Chapter 21- Floodplains, of the Code of the Town of Lancaster which were adopted by Local Law No. 3 of the Year 1999, and enacts new Sections 21-5 and 21-6 of said Chapter 21, and was introduced to the Town Board of the Town of Lancaster by Council Member Stempniak on the 19th day of July, 1999, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on August 2, 1999;

NOW, THEREFORE, BE IT

ENACTED, by the Town Board of the Town of Lancaster, Local Law No. 4 of the Year 1999, designated as Sections 21-5 and 21-6 Floodplains, of the Code of the Town of Lancaster, County of Erie and State of New York, which reads as follows:

FLOODPLAINS

CHAPTER 21

**LOCAL LAW NO. 4
OF
THE YEAR 1999**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER BY DELETING AND REPEALING, IN ITS ENTIRETY, SECTION 21-5 AND SECTION 21-6 OF CHAPTER 21, OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED: "FLOODPLAINS", WHICH WERE ADOPTED BY LOCAL LAW NO. 3 OF THE YEAR 1999, AND REPLACING IT WITH LOCAL LAW NO. 4 OF 1999, ENACTING NEW SECTIONS 21-5 AND 21-6 OF CHAPTER 21, "FLOODPLAINS" OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

Section 1.

The Code of the Town of Lancaster is hereby amended by deleting and repealing Section 21-5 and Section 21-6 of Chapter 21-Floodplains," of said Code which were adopted by Local Law No. 3 of the Year 1999.

Section 2.

The Code of the Town of Lancaster is hereby amended by adding thereto Local Law No.4 of the Year 1999, to replace Section 21-5 and Section 21-6 of Chapter 21 as herein above repealed," and further designated as Section 21-5 and Section 21-6 of Chapter , Article 1 of said Code and shall read as follows:

§21-5. Applicability.

This Local Law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Lancaster, Erie County, New York, and shall take effect immediately upon filing with the Secretary of State.

§21-6. Basis for establishing the areas of special flood hazards.

The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels) Index No. 3602490001-0012, whose effective date is December 1, 1981.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Town of Lancaster, New York, Erie County" dated June 1, 1981.
- (3) Flood Boundary and Floodway Map (multiple panels) Index No. 360249 0001-0012, whose effective date is December 1, 1981.
- (4) LOMR effective 8/9/99 FEMA Case No. 99-02-045P, revising FIRM and FBFM panel 10.

The above documents are hereby adopted and declared to be a part of this

Local

Law. The Flood Insurance Study and/or maps are on file at the Town of Lancaster Building Inspector's Office, in the Town of Lancaster, Erie County, New York.

and,

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 4 of the Year 1999 on the Town Bulletin Board;
2. Within ten (10) days publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on Local Law No. 4 of the Year 1999, with all proofs of publication and posting required for adoption; and
4. File certified copies of Local Law No. 4 of the Year 1999 within twenty (20) days of adoption with:
 - a) Town Clerk's Office
 - b) One (1) copy with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rloclawa.899

**LEGAL NOTICE
NOTICE OF ADOPTION**

**LOCAL LAW NO. 4
OF THE YEAR 1999**

**DESIGNATED AS SECTIONS 21-5 AND 21-6
OF CHAPTER 21-FLOODPLAINS OF THE CODE
OF THE TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on May 17, 1999, Local Law No. 4 of the Year 1999, designated as Sections 21-5 and 21-6 of Chapter 21, Floodplains of the Code of the Town of Lancaster, briefly described as follows:

"A Local Law which repeals Sections 21-5 and 21-6 of Chapter 21-Floodplains of the Code of the Town of Lancaster which were adopted by Local Law No. 3 of the Year 1999, and enacts in place thereof a new Section 21-5 and Section 21-6 of Chapter 21 to be known as Local Law No. 4 of the Year 1999, Floodplains of the Code of the Town of Lancaster.

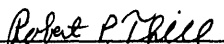
This Local Law amends floodplain management regulations and correctly references the Flood Insurance Rate Map and the LOMR."

August 2, 1999

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY, that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of Local Law No. 4 of Year 1999, with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF. I have hereunto set my hand and affixed the Seal of said Town, this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

FLOODPLAINS

CHAPTER 21

**LOCAL LAW NO. 4
OF
THE YEAR 1999**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER BY DELETING AND REPEALING, IN ITS ENTIRETY, SECTION 21-5 AND SECTION 21-6 OF CHAPTER 21, OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED: "FLOODPLAINS", WHICH WERE ADOPTED BY LOCAL LAW NO. 3 OF THE YEAR 1999, AND REPLACING IT WITH LOCAL LAW NO. 4 OF 1999, ENACTING NEW SECTIONS 21-5 AND 21-6 OF CHAPTER 21, "FLOODPLAINS" OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

Section 1.

The Code of the Town of Lancaster is hereby amended by deleting and repealing Section 21-5 and Section 21-6 of Chapter 21-Floodplains," of said Code which were adopted by Local Law No. 3 of the Year 1999.

Section 2.

The Code of the Town of Lancaster is hereby amended by adding thereto Local Law No. 4 of the Year 1999, to replace Section 21-5 and Section 21-6 of Chapter 21 as hereinabove repealed, " and further designated as Section 21-5 and Section 21-6 of Chapter , Article 1 of said Code and shall read as follows:

§21-5. Applicability.

This Local Law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Lancaster, Erie County, New York, and shall take effect immediately upon filing with the Secretary of State.

§21-6. Basis for establishing the areas of special flood hazards.

The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels) Index No. 3602490001-0012, whose effective date is December 1, 1981.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Town of Lancaster, New York, Erie County" dated June 1, 1981.
- (3) Flood Boundary and Floodway Map (multiple panels) Index No. 360249 0001-0012, whose effective date is December 1, 1981.
- (4) LOMR effective 8/9/99 FEMA Case No. 99-02-045P, revising FIRM and FBFM panel 10.

Local

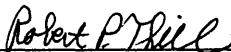
The above documents are hereby adopted and declared to be a part of this Law. The Flood Insurance Study and/or maps are on file at the Town of Lancaster Building Inspector's Office, in the Town of Lancaster, Erie County, New York.

August 2, 1999

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY, that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of Local Law No 4 of Year 1999, with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER CONNELLY, TO WIT:

WHEREAS, a Public Hearing was held on the 19th day of July, 1999, on the Petition of **RICHARD E. SHARPE, and MARY E. SHARPE** 5161 Transit Road, Depew, New York, 14043, for the rezone of certain property located on the east side of Transit Road, north of Jefferson Avenue in the Town of Lancaster, New York, from a GB-General Business District to a CMS-Commercial Motor Service District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board has reviewed this Rezone and by letter dated June 17, 1999, has recommended approval thereof, and

WHEREAS, a SEQR review of this rezone was conducted on July 19, 1999 and a Negative Declarative was issued, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a
GB-General Business District to a CMS-Commercial Motor Service District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 11, Section 11, Township 11, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 556 is known as Subdivision Lots No. 4 to 9 inclusive in Block 2.

Excepting therefrom the westerly 7 feet of Subdivision Lots No. 4 to 7 inclusive in Block 2 as appropriated by Notice of Appropriation recorded November 21, 1955 in Liber 5908 of Deeds at Page 409, being Map 39, Parcel 51.

ALSO, that Tract or Parcel of Land situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 11, Township 11, Range 6 of the Holland Land Company's Survey, and according to map filed in Erie County Clerk's Office under Cover No. 556 is known as the westerly 195 feet of Adams Avenue (50 feet wide), as measured from the east line of Transit Road (66 feet wide).

Said above described Parcels of Lands containing a total of 0.739 Acres more or less.

AND

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 11, Section 10, Township 11, Range 6 of the Holland Land Company's Survey, being Subdivision Lots Nos. 33, 34, 35, 36 and 37 in Block 2, according to a certain map made by Ellsworth Brothers, Surveyors, filed in the Erie County Clerk's Office under Cover No. 556.

2. That said Ordinance Amendment be added in the minutes of the Town Board of the Town of Lancaster held on the 2nd day of August, 1999.

3. That a certified copy thereof be published in the Lancaster Bee on or before the 5th day of August, 1999.

4. That Affidavits of Publication be filed with the Town Clerk; and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rrezshpa.899

**LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
RICHARD E. SHARPE, JR. AND MARY E. SHARPE
TRANSIT ROAD, DEPEW, NEW YORK**

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from a GB-General Business District One to a CMS-Commercial Motor Service District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 11, Section 11, Township 11, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 556 is known as Subdivision Lots No. 4 to 9 inclusive in Block 2.

Excepting therefrom the westerly 7 feet of Subdivision Lots No. 4 to 7 inclusive in Block 2 as appropriated by Notice of Appropriation recorded November 21, 1955 in Liber 5908 of Deeds at Page 409, being Map 39, Parcel 51.

ALSO, that Tract or Parcel of Land situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 11, Township 11, Range 6 of the Holland Land Company's Survey, and according to map filed in Erie County Clerk's Office under Cover No. 556 is known as the westerly 195 feet of Adams Avenue (50 feet wide), as measured from the east line of Transit Road (66 feet wide).

Said above described Parcels of Lands containing a total of 0.739 Acres more or less.

AND

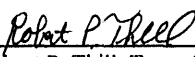
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 11, Section 10, Township 11, Range 6 of the Holland Land Company's Survey, being Subdivision Lots Nos. 33, 34, 35, 36 and 37 in Block 2, according to a certain map made by Ellsworth Brothers, Surveyors, filed in the Erie County Clerk's Office under Cover No. 556.

August 2, 1999

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to Certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of a Rezone - (Sharpe) with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this Town this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of August, 1999, for
the purpose of amending Chapter 50-Zoning, by deleting §50-23 (B) of Article V of the
Code of the Town of Lancaster, and enacting in place thereof a new §50-23 (B) of Article V
of Chapter 50-Zoning of the said Code, and

WHEREAS, persons for and against such amendment have had an opportunity
to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 50-Zoning of the Code of the Town of Lancaster is
hereby amended by deleting in its entirety Section 50-23 (B) of Article V of said Chapter 50,
Zoning, and enacting in place thereof a new §50-23 (B) of the said Code which reads as
follows:

CHAPTER 50-ZONING
ARTICLE V
Business Districts

§50-23. General regulations for business districts.

.....
B. Lighting .

Lighting system design standards shall be as follows:

1. Exterior lighting shall be arranged so that adjoining properties and streets are protected from glare and hazardous light intrusion and the illumination shall be limited to the extent necessary to insure public safety. Lighting fixtures shall be designed, sized and located so as not to cast direct rays of excessive brightness upon adjoining properties or cause glare hazardous to pedestrians or persons using adjacent streets.
2. Illumination shall not be used for the purpose of advertising attracting attention to the principal use.
3. Lighting fixture height above grade shall not exceed fifteen (15) feet in or adjacent to a residential district or use, and in no instance shall they exceed twenty (20) feet above grade.

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 2nd day of August, 1999;

3. That a certified copy of this amendment be published in the Lancaster Bee on the 5th day of August, 1999;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board; and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rzonorda.899

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 50 ZONING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that Chapter 50, Zoning of the Code of the Town of Lancaster is hereby amended by deleting in its entirety , §50-23 (B) of Article V, of said Code, and enacting in place thereof a new §50-23 (B) of Article V of Chapter 50, Zoning of the Code of the Town of Lancaster, which reads as follows:

**CHAPTER 50-ZONING
ARTICLE V
Business Districts**

§50-23. General regulations for business districts.

.....

B. Lighting .

Lighting system design standards shall be as follows:

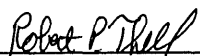
- and
1. Exterior lighting shall be arranged so that adjoining properties streets are protected from glare and hazardous light intrusion and the illumination shall be limited to the extent necessary to insure public safety. Lighting fixtures shall be designed, sized and located so as not to cast direct rays of excessive brightness upon adjoining properties or cause glare hazardous to pedestrians or persons using adjacent streets.
 2. Illumination shall not be used for the purpose of advertising attracting attention to the principal use.
 3. Lighting fixture height above grade shall not exceed fifteen (15) feet in or adjacent to a residential district or use, and in no instance shall they exceed twenty (20) feet above grade.

August 2, 1999

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

This is to certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

(S E A L)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MARYNIEWSKI, TO WIT:

RESOLVED; that Robert H. Giza, as Supervisor of the Town of Lancaster, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 and/or Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Lancaster for Westwood Park Expansion.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: Rgrantapwestpk (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Town of Lancaster herein called the "municipality", after thorough consideration of the various aspects of the problem of flooding of Ellicott Creek at and near Stony Road and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for flood control projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW THEREFORE, BE IT

RESOLVED by the Lancaster Town Board

1. That the Lancaster Town Supervisor is the representative authorized to act in behalf of the Municipality's governing body in all matters related to make application, execute the State Assistance Contract, submit Project documentation and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance for the flooding problem of Ellicott Creek at and near Stony Road;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany Office of the New York State Department of Environmental Conservation together with the Application for State Assistance Payments for Flood Control Projects;
4. That this Resolution take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: Rgrantapwestpk (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, a Public Hearing was held on the 19th day of July, 1999, on the Petition of **ERIC S. PUTNAM and ANNE K. PUTNAM**, 5785 Thompson Road, Clarence New York, 14031, for the rezone of certain property located on the north side of Genesee Street, west of Main Street, Bowmansville, and locally known as 5250 Genesee Street, Bowmansville, in the Town of Lancaster, New York, from an RCO- Residential Commercial Office District to an NB - Neighborhood Business District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board has reviewed this Rezone and by letter dated June 17, 1999 has recommended approval thereof, and

WHEREAS, a SEQR review was conducted on this rezone on July 19, 1999, at which time a Negative Declaration was issued, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RCO-Residential Commercial Office District to an NB-Neighborhood Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number Nine (9); Section Number Twelve (12), Township Eleven (11), Range Six (6) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Genesee Street distant one hundred seventy-eight and forty-one hundredths (178.41) feet westerly from the easterly line of Lot Number Nine (9) as measured along the center line of Genesee Street, said point of beginning being also the southwest corner of lands formerly deeded to William McArthur by deed recorded in the Erie County Clerk's Office in Liber 1082 of Deeds at page 84;

RUNNING thence westerly along the center line of Genesee Street seventy-seven (77) feet to a point which is fifty (50) feet east of the southeast corner of lands conveyed to John Fess by Deed recorded in Erie County Clerk's Office in Liber 461 of Deeds at page 186;

RUNNING thence northerly parallel with the east line of the said Fess lands two hundred twenty-seven and four hundredths (227.04) feet to the south line of North Division Street extended westerly;

RUNNING thence easterly along the south line of North Division Street extended westerly seventy-seven (77) feet to a point in the west line of the said McArthur lands;

RUNNING thence southerly along the west line of the said McArthur lands a distance of two hundred twenty-seven and four hundredths (227.04) feet to the center line of Genesee Street at the place of beginning.

Excepting therefrom that part of the above described premises that lies within the bounds of Genesee Street.

2. That said Ordinance Amendment be added in the minutes of the Town Board of the Town of Lancaster held on the 2nd day of August, 1999.

3. That a certified copy thereof be published in the Lancaster Bee on or before the 5th day of August, 1999.

4. That Affidavits of Publication be filed with the Town Clerk; and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rezptnm.899

**LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
ERIC S. PUTNAM and ANN K. PUTNAM
GENESEE STREET, TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an RCO-Residential Commercial District to an NB-Neighborhood Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number Nine (9); Section Number Twelve (12), Township Eleven (11), Range Six (6) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Genesee Street distant one hundred seventy-eight and forty-one hundredths (178.41) feet westerly from the easterly line of Lot Number Nine (9) as measured along the center line of Genesee Street, said point of beginning being also the southwest corner of lands formerly deeded to William McArthur by deed recorded in the Erie County Clerk's Office in Liber 1082 of Deeds at page 84;

RUNNING thence westerly along the center line of Genesee Street seventy-seven (77) feet to a point which is fifty (50) feet east of the southeast corner of lands conveyed to John Fess by Deed recorded in Erie County Clerk's Office in Liber 461 of Deeds at page 186;

RUNNING thence northerly parallel with the east line of the said Fess lands two hundred twenty-seven and four hundredths (227.04) feet to the south line of North Division Street extended westerly;

RUNNING thence easterly along the south line of North Division Street extended westerly seventy-seven (77) feet to a point in the west line of the said McArthur lands;

RUNNING thence southerly along the west line of the said McArthur lands a distance of two hundred twenty-seven and four hundredths (227.04) feet to the center line of Genesee Street at the place of beginning.

Excepting therefrom that part of the above described premises that lies within the bounds of Genesee Street.

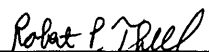
August 2, 1999

STATE OF NEW YORK :
COUNTY OF ERIE : ss:

TOWN OF LANCASTER:

This is to Certify that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of a Rezone - Putnam with the original thereof filed in my office at Lancaster, New York, on the 2nd day of August, 1999, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this Town this 2nd day of August, 1999.


Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MARYNIEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster to accept completed Public Improvements within Parkedge Subdivision Phase I within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated July 29, 1999 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Parkedge Subdivision Phase I, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 464 - Water Line

P.I.P. No. 462 - Storm Sewers

P.I.P. No. 463 - Pavement and Curbs

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: RPIP (P22)

13

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW
YORK, ADOPTED AUGUST 2, 1999, AUTHORIZING THE
PURCHASE AND INSTALLATION OF TRAFFIC SIGNALS
FOR THE TOWN, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$235,000, APPROPRIATING SAID
AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE
OF \$235,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-
thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Lancaster, in the County of Erie, New York (herein
called the "Town"), is hereby authorized to purchase and install traffic signals at Bowen Road
and William Street, and at Lake Avenue and William Street, in said Town, including all work
ancillary thereto. The estimated maximum cost thereof, including preliminary costs and costs
incidental thereto and the financing thereof, is \$235,000 and said amount is hereby
appropriated therefor. The plan of financing includes the issuance of \$235,000 serial bonds of
the Town to finance said appropriation, and the levy and collection of taxes on all the taxable
real property in the Town to pay the principal of said bonds and the interest thereon as the
same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$235,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 72(a) of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in

anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

11/
THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster shall within ten (10) days
after the adoption of this resolution cause to be published, in full, in the "LANCASTER
BEE," a newspaper having a general circulation within said Town and hereby designated the
official newspaper of the Town for such publication and posted on the sign board of the Town
maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on August 2, 1999, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted August 2, 1999, authorizing the purchase and installation of traffic signals for the Town, stating the estimated maximum cost thereof is \$235,000, appropriating said amount therefor, and authorizing the issuance of \$235,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to purchase and install traffic signals at Bowen Road and William Street, and at Lake Avenue and William Street, in said Town, including all work ancillary thereto; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$235,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$235,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$235,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which the bonds are authorized is twenty (20) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$235,000 serial bonds will exceed five (5) years; .

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 2, 1999

Robert P. Thill
Town Clerk

Section 2. The Town Clerk is hereby directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MARYNIEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit Applications be and are
hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure
6133		Sullivan, Michael	35 Woodgate Dr	Er. Fence
6134		Dowling, Joseph	568 Pavement Rd	Er. Deck
6135		Fenski, David Jr	30 Traceway	Er. Shed
6136		Emma, Daniel	30 Sagebrush Ln	Er. Pool
6137		Yang, Michael	7 Stream View Ln	Er. Pool
6138		RJF Development	27 Village View	Er. Sin. Dwlg
6139		Marrano/Marc Equity	396 Seneca Pl	Er. Sin. Dwlg
6140		Seeley & Hopkins	243 Warner Rd	Res. Addition
6141		Regent Develop Group	4891 Transit Rd	Com. Occupancy
6142		Rizzi, Victor	12 Brunck Rd	Res. Addition
6143		Fronczak, Michael	3 Woodstream Dr	Er. Pool
6144		Reukauf, Ronald	277 Enchanted Forest N	Er. Fence
6145		Reukauf, Ronald	277 Enchanted Forest N	Er. Shed
6146		Love Joy Gospel Church	5423 Genesee St	Er. Temp. Sign
6147		Moller Bldrs	64 Michael's Walk	Er. Sin. Dwlg
6148		Augustine & Kist	161 Schwartz Rd	Er. Pole Barn
6149		Joyce, Steven	19 Candice Ct	Er. Fence
6150		Witkowski, Anthony	16 Traceway	Er. Pool
6151		Benderson Development	4937 Transit Rd	Er. Retail
6152		Brookhaven Apt Homes	5844 Broadway	Er. Garage
6153		Allen, David	185 Schwartz Rd	Demolition
6154		Allen, David	185 Schwartz Rd	Er. Garage
6155		Henderson, Gregory	10 Broadmoor Ct	Er. Deck
6156		Taberski, Robert	4 Hunters Dr	Er. Shed
6157		Mansell, David	14 Traceway	Er. Shed
6158		Marino, Charles	45 Stream View Ln	Er. Shed
6159		Horst, Lawrence	9 Riemers Ave	Er. Fence
6160		Kalinowski, Brian	6403 Genesee St	Er. Pool
6161		Kalinowski, Brian	6403 Genesee St	Demolition
6162		Laufer, Dwane	12 Traceway	Er. Deck
6163		Siebert, Allynn	5148 William St	Er. Pole Barn

6164	LaPiana, Paul	296 Enchanted Forest N	Er. Fence
6165	Nigel Enterprises	51 Village View	Er. Sin. Dwlg
6166	Bella Vista Group Inc	4957 Transit Rd	Demolition
6167	81 and 3 of Watertown Inc	4961 Transit Rd	Demolition
6168	Forbes Homes	10 Sussex Ln	Er. Sin. Dwlg
6169	Forbes Homes	257 Enchanted Forest N	Er. Sin. Dwlg
6170	Mascia, David	3 Wendtworth Ct	Er. Fence
6171	Antonia, Mark	364 Lake Ave	Er. Pool
6172	Weldon, Matthew	28 Grafton Ct	Er. Shed
6173	Spinuzza, Peter	23 Grace Way	Er. Fence
6174	Emma, Daniel	30 Sagebrush Ln	Er. Shed
6175	Zelli, Brian J	38 Michael's Walk	Er. Deck
6176	Wilson, David	415 Lake Ave	Er. Deck
6177	Wilson, David	415 Lake Ave	Er. Fence
6178	Dec, Francis	80 Heritage Dr	Er. Fence
6179	Krol, Dennis	86 Schlemmer Rd	Er. Shed
6180	Renkas, John	145 Schlemmer Rd	Er. Pool
6181	Renkas, John	145 Schlemmer Rd	Er. Fence

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File:Rbldg2

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Director of Administration and Finance, to wit:

Claim No. 9810 to Claim No. 10057 Inclusive

Total amount hereby authorized to be paid: **\$589,089.05**

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One New and Unused 2-Wheel Drive Motor Truck, for use by the Highway Department of the said Town, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That bids be received by the Town Clerk on August 12, 1999 at 10:00 o'clock A.M., Local Time, for the purpose of purchasing One (1) New and Unused 2-Wheel Drive Motor Truck for use of the Town of Lancaster Highway Department, in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: mtbdhy1.899

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Town Clerk of the Town of Lancaster or his designee, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time on August 12, 1999, for the purpose of purchasing One (1) New and Unused 2-Wheel Drive Motor Truck for use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five per centum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 2, 1999

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One New and Unused Complete Dump Body and Snow Plow Equipment for use by the Highway Department of the said Town, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That bids be received by the Town Clerk on August 12, 1999 at 10:15 o'clock A.M., Local Time, for the purpose of purchasing One (1) New and Unused Complete Dump Body and Snow Plow Equipment for use of the Town of Lancaster Highway Department, in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: mtbdhy2.899

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Town Clerk of the Town of Lancaster or his designee, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:15 A.M., Local Time on August 12, 1999, for the purpose of purchasing One (1) New and Unused Complete Dump Body and Snow Plow Equipment for use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five per centum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 2, 1999

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One New and Unused 4-Wheel Drive Wheel Loader with a 3 Cubic Yard 4-In-One Bucket, for use by the Highway Department of the said Town, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That bids be received by the Town Clerk on August 12, 1999 at 10:30 o'clock A.M., Local Time, for the purpose of purchasing One (1) New and Unused 4-Wheel Drive Wheel Loader With a 3 Cubic Yard 4-In-One Bucket for use of the Town of Lancaster Highway Department, in accordance with specifications on file in the Town Clerk's Office, and

2 That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rntbdhy3.899

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Town Clerk of the Town of Lancaster or his designee, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:30 A.M., Local Time on August 12, 1999, for the purpose of purchasing One (1) New and Unused 4-Wheel Drive Wheel Loader With a 3 Cubic Yard 4-In-One Bucket for use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five per centum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 2, 1999

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of One Used Badger 666, or Equal, for use by the Highway Department of the said Town, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That bids be received by the Town Clerk on August 12, 1999 at 10:45 o'clock A.M., Local Time, for the purpose of purchasing One (1) Used Badger 666, or Equal, for use of the Town of Lancaster Highway Department, in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: rntbdhy4.899

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Town Clerk of the Town of Lancaster or his designee, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:45 A.M., Local Time on August 12, 1999, for the purpose of purchasing One (1) Used Badger 666, or Equal, for use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five per centum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 2, 1999

Council Member Connelly requested a suspension of the necessary rule for immediate consideration of the following resolution

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MARYNIEWSKI, TO WIT:

WHEREAS, Police Dispatcher Angela Stewart, has requested the Town Board to grant her a leave of absence without pay, and

WHEREAS, the Chief of Police of the Town of Lancaster has made a recommendation to the Town Board for approval of a 60 day leave of absence,

NOW, THEREFORE, BE IT
RESOLVED, as follows:

That after due review and consideration the Town Board hereby grants a 60 day unpaid leave of absence to Police Dispatcher Angela Stewart effective July 31, 1999.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

File: RPERS.LVE

Council Member Connelly requested a suspension of the necessary rule for immediate consideration of the following resolution

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects for the purpose of a tub grinder; and

WHEREAS, the TOWN OF LANCASTER herein called the TOWN OF LANCASTER, has examined and duly considered the applicable laws of the State of New York, and the TOWN OF LANCASTER deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the TOWN OF LANCASTER be executed for such STATE AID; and

WHEREAS, the application to be made for this Grant will be made in conjunction with the Village of Lancaster and the Village of Depew.

**NOW, THEREFORE, BE IT
RESOLVED BY THE TOWN OF LANCASTER:**

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That the Supervisor of the Town of Lancaster is directed and authorized as the official representative of the TOWN OF LANCASTER to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE.

3. That the TOWN OF LANCASTER agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.

4. That the TOWN OF LANCASTER in conjunction with the Village of Lancaster and Village of Depew, set forth their respective responsibilities by attached joint Resolution relative to a joint Municipal Waste Reduction and/or Recycling Project for the purchase of a tub grinder,

5. That five (5) certified copies of this resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-4015, together with a complete application.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 2, 1999

COMMUNICATIONS:

410. Mayor Masiello to Supervisor -
Invitation to next Municipal Planners Workshop - July 27, 1999. DISPOSITION =
Received and Filed
411. Western New York Developmental Disabilities Services Office to Supervisor -
Certified Mail - Notice Of Hearing re: 4 Cider Mill Court. DISPOSITION =
Received and Filed
412. David M. Calire to Supervisor and Council Members -
Concerns of safety hazard at corner of Westbury Lane and Stone Hedge Drive.
DISPOSITION = Public Safety Committee
413. A Concerned Citizen to Supervisor and Town Board Members -
Expressed many concerns re. Town of Lancaster and development. DISPOSITION
= Received and Filed
414. County of Erie Dept. Of Public Works to Supervisor -
Reply to correspondence on signal installation at William Street and Lake Avenue.
DISPOSITION = Supervisor, Public Safety Committee
415. State of New York Office of Real Property Services to Supervisor -
Advisement of distribution of 1999 STAR Administrative Aid. DISPOSITION =
Received and Filed
416. United Cerebral Palsy Assoc. to Supervisor -
Alternate site at Bowen Road unsatisfactory to proposed site at 4 Cider Mill Court.
DISPOSITION = Received and Filed
417. Erie County Dept of Environment & Planning to Supervisor -
Advisement of Erie County Sewer District No. 4 - Pinetree Subtrunk Sewer Project -
Contract #28L. DISPOSITION = Received and Filed
418. Building Inspector to Town Clerk -
Approval of application for Game Room License - AMF Bowling Center.
DISPOSITION = Received and Filed
419. Bella Vista Group Inc to Town Clerk -
Submittal of revised description and map for rezoning of N/E corner of Transit Road
and William Street. DISPOSITION = Planning Committee
420. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -
Transmittal of variance petition for meeting of August 12, 1999. DISPOSITION =
Received and Filed
421. G. J. Ciancio (CARS) to Town Board -
Comments re: "DEIS" dated July 21, 1999, proposed rezoning on NE corner of
Transit & William, Project sponsor: Bella Vista Group Inc - DISPOSITION =
Planning Committee
422. Town Engineer to Town Board -
Recommends acceptance of Public Improvement Permits in Parkedge Subdivision -
DISPOSITION = Received and Filed
423. Mariette Miller to Supervisor -
Note of appreciation to Town for dedication to John Miller at Westwood Park.
DISPOSITION = Received and Filed
424. Supervisor to Dep. Commissioner of County Dept. Public Works -
Traffic signals at William/Lake and William/Bowen. DISPOSITION = Public Safety
Committee
425. Benderson development Co. to Councilman Montour -
Addressing concerns reviewed at meeting at the Kowalski's residence in Hill Valley
Estates. DISPOSITION = Planning Committee

426. Lee Chowanec to Town Board -
Comments re. amended plan submitted by Mr. Cippola for development at corner
William and Transit. DISPOSITION = Planning Committee
427. Republican candidates of upcoming election to Town Board -
Urge denial of Transit/William rezone. DISPOSITION = Received and Filed
428. Jerry & Ida Sawyer to Town Board -
Expression of opposition to the Transit/William rezone. DISPOSITION = Planning
Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MONTOUR AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk